IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 29TH NOVEMBER 2006 / 8TH AGRAHAYANA 1928

Bail Appl..No. 7034 of 2006()

CRMP.3757/2006 of SESSIONS COURT, PALAKKAD
CRIME NO.552/06 OF OTTAPPALAM POLICE STATION

.....

PETITIONERS/ACCUSED 1,2 AND 4:

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1. RIYAS V., S/O. MUHAMMED,
   AGED 27 YEARS, VAYANADAN HOUSE, PAZHAYALAKKIDI,
   ADALOOR POST, PALAKKAD DISTRICT.

2. FAISAL P.K., S/O. SAIDALIKUTTY,
   AGED 28 YEARS, PADINNARKKARA HOUSE,PAZHAYALAKKIDI,
   AKALOOR POST, PALAKKAD DISTRICT.

3. KRISHNADAS P., S/O. VELAYUDHAN,
   AGED 27 YEARS, PARANGOTTIL HOUSE, PAZHAYALAKKIDI,
   AKALOOR POST, PALAKKAD DISTRICT.

BY ADV. SRI.M.V.BOSE
SRI.VINOD MADHAVAN
SMT.NISHA BOSE

RESPONDENTS:

STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 7034 OF 2006

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DATED THIS THE 29th DAY OF NOVEMBER, 2006

O R D E R

Petitioners who are accused Nos. 1, 2 and 4 in Crime No.552/06 of Ottappalam Police Station for offences punishable under sections 143, 147, 148, 341 and 308 read with section 149 IPC, seek anticipatory bail. The occurrence took place on 24.10.2006.

2. Even though the petitioners are named accused in the FIR, the weapon, viz; knife was not used by any of the petitioners herein. Moreover, accused Nos.5 to 7 in the very same crime have been granted anticipatory bail by this court as per order passed in B.A.No.7000/06. Under these circumstances, I am inclined to grant anticipatory bail to the petitioners. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioners on bail for a period of one month in the event of their arrest in connection with the above case on each of them executing a bond for Rs. 10,000/- with two solvent sureties each for the like amount to the satisfaction of the said officer and subject to the following conditions:

1. Petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. Petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

3. Petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

4. Petitioners shall not commit any offence while on bail.

5. Petitioners shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,JUDGE.

dsn